

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER**

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	8 U.S.C. § 1324a Proceeding
v.	)	
	)	OCAHO Case No. 98A00082
COMMERCIAL CUSTOM SEATING	)	
AND UPHOLSTERY, INC.,	)	Judge Robert L. Barton, Jr.
Respondent.	)	
	)	

**DECISION AND ORDER APPROVING SETTLEMENT  
AGREEMENT CONTAINING CONSENT FINDINGS**

(December 1, 1998)

On August 3, 1998, a Complaint Regarding Unlawful Employment was filed by the Complainant against Respondent pursuant to 8 U.S.C. Section 1324(a). Attached to the Complaint and incorporated therein by reference was a Notice of Intent to Fine (NIF), which had previously been personally served on Respondent on July 21, 1997.

The parties have filed a Joint Motion to Approve Settlement Agreement Containing Consent Findings signed by both parties.

Upon review and full consideration of the Motion and attached Settlement Agreement Containing Consent Findings, I find that it complies with the requirements of 28 C.F.R. Section 68.14(b) of the Rules of Practice and Procedure for Administrative Hearings Before Administrative Law Judges in Cases Involving Allegations of Unlawful Employment of Aliens and Unfair Immigration-Related Employment Practices, and fully disposes of the allegations set forth in the Complaint by providing that Respondent pay the total sum of Seventeen Thousand, Five Hundred Dollars (\$17,500) in full settlement and satisfaction of all claims against Respondent set forth in the NIF. I conclude that the proposed Settlement Agreement Containing Consent Findings is fair and satisfactory, and there is no reason not to accept it within the contemplation of 28 C.F.R. Section 68.14. On the basis of the proposed Settlement Agreement Containing Consent Findings, I find and conclude that Respondent has violated Section 274A of the Act.

Accordingly, the numbered provisions proposed by the Parties in the Settlement Agreement Containing Consent Findings are adopted by this Court as the Consent Findings in this case, except that paragraph 17 of the Settlement Agreement Containing Consent Findings is corrected to reference

paragraph 12 (payment schedule), rather than paragraph 9. The Consent Findings are hereby approved and incorporated by reference in this Decision and Order, and all relief sought is hereby granted.

**IT IS HEREBY ORDERED:**

That Respondent pay a civil monetary penalty of Seventeen Thousand, Five Hundred Dollars (\$17,500) in accordance with the terms set forth in the Settlement Agreement Containing Consent Findings and the numbered provisions therein which are adopted as Consent Findings.

This Decision and Order is the final order of the Administrative Law Judge in accordance with Section 68.52(b) of the Rules of Practice and Procedure. As provided in those Rules, at Section 68.53, this Decision and Order shall become the final Order of the Attorney General unless within 30 days from the date of this Decision and Order, the Chief Administrative Hearing Officer vacates or modifies it.

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**ROBERT L. BARTON, JR.**  
**ADMINISTRATIVE LAW JUDGE**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of December, 1998, I have served the foregoing Decision and Order Approving Settlement Agreement Containing Consent Findings on the following persons at the addresses shown, by first class mail, unless otherwise noted:

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